

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA
Nos. 15-1034 and 15-1045

HEARTLAND PLYMOUTH COURT)
MI, LLC, d/b/a HEARTLAND HEALTH)
CARE CENTER – PLYMOUTH COURT)

Petitioner)

v.)

NATIONAL LABOR RELATIONS)
BOARD,)

Respondent)

STATEMENT OF ISSUES

Petitioner intends to raise the following issues before this Court:

1. Whether the Board's findings and conclusions that Petitioner violated Sections 8(a)(1) and (5) of the Act, 29 U.S.C. §§ 158(a)(1), (5) by failing to bargain over the effects of its decision to reduce employee hours are supported by substantial evidence and reasonably consistent with prevailing law?
2. Whether the Board erred in refusing to defer to the arbitrator's decision and award adopting Petitioner's interpretation of the collective bargaining agreement and finding that Petitioner acted in accordance with its contractual rights?
3. Whether the Board abused its discretion in ordering a limited backpay remedy and applying it retroactively?

Respectfully submitted this 18th day of March 2015.

/s/ Charles P. Roberts III
Charles P. Roberts III

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CERTIFICATE OF SERVICE

I certify that I have this day served a copy of this STATEMENT OF ISSUES on the following entities, who were respondents or participants in the agency proceeding below, by serving same on their respective counsel of record via United States Postal Service, First Class Mail to:

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This the 18th day of March 2015

/s/ Charles P. Roberts III